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*Representing the United States of America*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
-oOo-**

UNITED STATES OF AMERICA,  
  
Plaintiff,

vs.

TWYLA RUSSELL AND  
MARISSA MILLER,  
  
Defendants.

Case No. 2:20-cr-297-RFB-DJA

**SECOND STIPULATION FOR A  
PROTECTIVE ORDER**

The parties, by and through the undersigned, respectfully request that the Court issue a Second Order protecting from disclosure to the public, or any third party not directly related to this case, any discovery produced by the Government to defense counsel<sup>1</sup> during discovery, under Bates-stamp numbers M1-M5 (the “Second Protected Material”). The parties state as follows:

1. The indictment in this case first issued on October 27, 2020.
2. Trial is currently set for January 4, 2021.

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<sup>1</sup> On November 29, 2020, Ronald A. Colquitt, Esq. advised that his client, Defendant Russell, had passed away on November 23, 2020. At the time of this writing, the Death Certificate has not been filed and Defendant Russell thus remains a named defendant. Nevertheless, the Government intends to make this second production of discovery only to Defendant Miller, who, along with the Government, will be the only other co-signatory.

1           3.       On November 24, 2020, the Government made its initial production of discovery  
2 to defense counsel, under Bates-stamp numbers 000001-005242.

3           4.       The Government desires and intends to produce additional discovery, including  
4 the Second Protected Material, as soon as possible.

5           5.       The indictment in this case arises out of covert investigation into the Defendants'  
6 alleged conspiracy and unlawful distribution of controlled substances, including hydrocodone.

7           6.       The Government believes that dissemination of the Second Protected Material,  
8 could reveal personal identifying information of potential witnesses.

9           7.       In order to protect the potential witnesses and suspects involved in and revealed  
10 by the Second Protected Material, the parties intend to restrict access to the Second Protected  
11 Material in this case to the following individuals: the defendant, attorneys for all parties, and any  
12 personnel that the attorneys for all parties considered necessary to assist in performing that  
13 attorneys' duties in the prosecution or defense of this case, including investigators, paralegals,  
14 experts, support staff, interpreters, and any other individuals specifically authorized by the Court  
15 (collectively, the "Covered Individuals").

16           8.       Without leave of Court, the Covered Individuals shall not:

17               a.       make copies for, or intentionally allow copies of any kind to be made by  
18 any other person of the Second Protected Material in this case, or intentionally permit  
19 dissemination of the Second Protected Material at the Pahrump jail facility, or any other  
20 detention facility where either Defendant may be housed, to include leaving a copy of the Second  
21 Protected Material unsecured at any detention facility where either Defendant may be housed;<sup>2</sup>

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22  
23 <sup>2</sup> The Defendants were released on conditions on November 3, 2020. It is the parties' understanding that, in  
24 the event the Defendants are ever housed in a correctional facility during the pendency of this case, a copy  
of the Second Protected Material will be provided to the library located at that facility where the Defendant  
can check it out and view it as needed. However, when the Defendant is finished viewing the Protected  
Material, she must return his copy of the Second Protected Material to the library for safekeeping.

b. intentionally allow any other person to read, listen, or otherwise review the Second Protected Material;

c. use the Second Protected Material for any other purpose other than preparing to defend against or prosecute the charges in the indictment or any further superseding indictment arising out of this case; or

d. attach the Second Protected Material to any of the pleadings, briefs, or other court filings except to the extent those pleadings, briefs, or filings are filed under seal.

9. Nothing in this stipulation is intended to restrict the parties' use or introduction of the Second Protected Material as evidence at trial or support in motion practice.

10. The parties shall inform any person to whom disclosure may be made pursuant to this order of the existence and terms of this Court's order.

11. Should a reasonable need for this protective order cease to exist, on grounds other than a Covered Individual or some other person violating or circumventing its terms, the Government will move expeditiously for its dissolution.

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12. The defense hereby stipulates to this protective order.

Respectfully submitted,

NICHOLAS A. TRUTANICH  
United States Attorney

/s/ Peter S. Levitt  
PETER S. LEVITT  
Assistant United States Attorney

/s/ Rebecca Levy  
REBECCA LEVY  
Assistant Federal Public Defender  
Attorney for Defendant MARISSA MILLER

**IT IS SO ORDERED:**

  
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RICHARD F. BOULWARE II  
UNITED STATES DISTRICT JUDGE

December 27, 2020  
Date